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February 5, 1997

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Federal Communications Commission
Office of Secretary

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W. Room 222
Washington, D.C. 20554

Attn: Private Wireless Division
Wireless Telecommunications Bureau

Re: PR Docket No. 92-235

Dear Mr. Caton:

The Washington Suburban Sanitary Commission is pleased to have the opportunity to submit comments in response to the FCC's Public Notice, DA 97-206, dated January 28, 1997, regarding plans to consolidate the current Part 90 Radio Services. As a large public service utility with a significant investment in and dependence on communications infrastructure, we wish to express our thoughts, concerns, and recommendations on this topic.

The Washington Suburban Sanitary Commission, established in 1918, provides water and wastewater services to over 1.5 million people. Our 1000 square mile service area encompasses the two Maryland Counties surrounding the Nations Capital, Montgomery and Prince Georges. To meet our customers' expectations, the WSSC operates and maintains approximately 200 facilities, including water and wastewater storage facilities, pumping stations and treatment plants.

Operation of remote facilities and coordination of personnel requires enormous investment in wireless technology and available spectrum resources to provide safe and reliable public utility service. The WSSC operates and maintains approximately 700 mobile and 600 portable radio units and 600 pagers for the safety and coordination of field personnel. Almost all remote facilities are equipped with either microwave or Multiple Address Radio Systems to assist in system automation and supervision. Without available and protected spectrum, providing dependable and responsible water and wastewater services would not be possible.

After careful consideration of the Industrial Telecommunications Association's two-pool consolidation proposal, and the Utilities

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Telecommunications Council's three-pool proposal, we have reached the following conclusions:

1. Due to the demand for spectrum in congested areas and the uneven distribution of available frequencies in particular radio services throughout the country, and difficulties encountered attempting to obtain an interservice sharing arrangement with some coordinators, consolidation of the radio services is long overdue.

2. Spectrum should be protected in a prioritized fashion based on the eligibles' potential impact on the population with regard to the preservation of human life or property.

3. The ITA "blueprint" lacks appropriate protection for radio service eligibles whom have responsibility for the safety and protection of the mass public.

4. We generally concur with and support the comments and proposals filed by the UTC on January 28, 1997, and encourage the FCC to adopt a consolidation structure similar to the UTC proposals and reject the ITA two-pool plan.

5. While we consider the UTC three-pool plan to be the long-term answer to solving most spectrum coordination problems, we also believe that too little emphasis has been placed on studying and narrowing the eligibility requirements of the individual radio services to further achieve the desired outcome of providing the highest priority of protection and access to the applicant with the greatest impact on general public welfare. The following is a list of recommended changes we believe will enhance the consolidation:

A. Local Government Radio Service: Modify eligibility to include government operated public school systems, highway maintenance operations, park districts, forestry conservation activities, rescue organizations, disaster relief organizations, beach patrols, establishments in isolated places, any other state or local governmental entity except fire protection and law enforcement.

B. Police Radio Service: Remove restrictions limiting use of frequencies to specifically state police entities.

C. Highway Maintenance Radio Service: Delete in entirety and transfer spectrum assets and licensees to Local Government Radio Service.

D. Forestry Conservation Radio Service: Delete in entirety and transfer spectrum assets and licensees to Local Government Radio Service.

E. Special Emergency Radio Service: Delete in entirety and transfer spectrum assets and governmental applicants to the Local Government Radio Service, transfer all non-governmental applicants

and spectrum, except Communications Standby Facilities and Emergency Repair of Public Communications Facilities, to the Business/Commercial Pool. Transfer eligibles under the two excluded categories to appropriate CIRS spectrum.


F. Power Radio Service: Restrict eligibility to entities responsible for the production and distribution of electricity, and the production and distribution of gas, oil, water, or steam to the public through pipeline only. This will exclude entities which are only in the business of either producing or transporting the commodity. Transfer those excluded to the Business/Commercial Pool.

G. Petroleum Radio Service: Restrict eligibility to prevent those eligible in the in the above proposed Power Radio Service from also meeting eligibility requirements of the Petroleum Radio Service. Transfer remainder of the Petroleum Radio Service to the Business/Commercial Pool.

In summary, what we propose is to prioritize spectrum access and protection based upon the impact the applicant has on furthering the public good by preserving human life and property, with those entities which protect the general public welfare from imminent risk receiving the highest priority, those entities which are necessary for support of emergency activities and disaster restoration receiving the second priority, and those entities typically engaged in activities of a non-emergency nature receiving the broadest eligibility and lowest level of priority. We support the UTC Three-Pool proposal but believe that individual eligibility requirements within each radio service, rather than the radio service itself, should determine in which pool the entity should be included.

Very Truly Yours,

Washington Suburban Sanitary Commission



Kenneth G. Palumbo

Communications Maintenance Supervisor

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